

From: [Caroline Sweeney](#)
To: [Przyborski, Jay](#)
Subject: RE: Call tomorrow
Date: Tuesday, June 25, 2013 12:38:23 PM

Thanks Jay – I appreciate you checking!

From: Przyborski, Jay [mailto:Przyborski.Jay@epa.gov]
Sent: Tuesday, June 25, 2013 12:36 PM
To: Caroline Sweeney
Subject: Call tomorrow

Caroline,
Tomorrow is just a conference call, not a videoconference. Thanks,

Jay Przyborski
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 6
1445 Ross Avenue, Suite 1200
MC 6RC-ER
Dallas, Texas 75202
Tel. (214) 665-6605
Fax (214) 665-3177

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From: Margaret Ligarde
To: Przyborski, Jay
Cc: Caroline Sweeney
Subject: FW: Landfill Design Slides
Date: Tuesday, May 14, 2013 3:18:17 PM
Attachments: Frisco Landfill Design.pdf

Jay

Aileen Hooks mentioned to me that you had requested copies of these slides.

Margi Ligarde

Margaret Ligarde | TCEQ Office of Legal Services
12100 Park 35 Circle, Bldg. A, Austin, Texas 78753
Mail: MC-218, P.O. Box 13087, Austin TX 78711-3087
Office: (512) 239-3426 | **Cell:** (512) 660-4862 | Margaret.Ligarde@tceq.texas.gov

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From: aileen.hooks@bakerbotts.com [mailto:aileen.hooks@bakerbotts.com]
Sent: Tuesday, April 30, 2013 3:10 PM
To: Margaret Ligarde
Subject: Landfill Design Slides

Attached are the PowerPoint slides you requested.

Best regards,

Aileen
Aileen M. Hooks
Baker Botts L.L.P. ☐
98 San Jacinto Blvd., Suite 1500
Austin, Texas 78701
aileen.hooks@bakerbotts.com
512.322.2616
512.322.8314 (fax)

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From: Margaret Ligarde
To: Przyborski, Jay
Subject: FW: Exide 2/13/13 photolog draft
Date: Wednesday, April 17, 2013 5:20:05 PM
Attachments: [Attachment 1 - Exide Frisco - 2-13-13- Photolog.pdf](#)

As discussed.

Thanks!

Margi

Margaret Ligarde | TCEQ Office of Legal Services
12100 Park 35 Circle, Bldg. A, Austin, Texas 78753
Mail: MC-218, P.O. Box 13087, Austin TX 78711-3087
Office: (512) 239-3426 | **Cell:** (512) 660-4862 | Margaret.Ligarde@tceq.texas.gov

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From: Penland, John [<mailto:Penland.John@epa.gov>]
Sent: Thursday, February 21, 2013 9:56 AM
To: Dorothy Lewis
Subject: Exide 2/13/13 photolog draft

Hey Dorothy, I got you message. Here's a copy of my draft photolog from our site visit. Call me if you have any questions.

From: [Margaret Ligarde](#)
To: [Przyborski, Jay](#)
Subject: Public Information Act request
Date: Wednesday, April 17, 2013 5:12:01 PM

Jay

I have a question for you about a PIR I am working on concerning Exide. Can you call me at your convenience?

Thanks!

Margi Ligarde

Margaret Ligarde | TCEQ Office of Legal Services
12100 Park 35 Circle, Bldg. A, Austin, Texas 78753
Mail: MC-218, P.O. Box 13087, Austin TX 78711-3087
Office: (512) 239-3426 | **Cell:** (512) 660-4862 | Margaret.Ligarde@tceq.texas.gov

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From: Jackie Heinemann on behalf of Margaret Ligarde
To: Bill Shafford; Potts, Mark; Bryan Sinclair; Mark Oliver; alteen.hooks@bakerbotts.com; Przyborski, Jay; Tidmore, Guy; Penland, John; Ehrhart, Richard; Miller, Gary; Spalding, Susan; Jones, Bruce; Smith, Melissa; Luthans, William
Subject: TCEQ/EPA/Exide Meeting -- 4/11/13
Date: Monday, April 15, 2013 10:13:34 AM
Attachments: [Exide Meeting List of Attendees_041113.pdf](#)

Attached is a list of email addresses.

Thank you.

From: [Kerry Russell](#)
To: [Przyborski, Jay](#)
Subject: Re: Your number
Date: Tuesday, April 09, 2013 6:44:43 PM

Thanks Jay. Sorry I have tied up today. I will give you a call in the morning.

Kerry Russell
Russell & Rodriguez
1633 Williams Drive, Suite 200
Georgetown, Texas 78628
(512) 930-1317
(866) 929-1641(fax)
Krussell@txadminlaw.com

On Apr 9, 2013, at 6:20 PM, "Przyborski, Jay" <Przyborski.Jay@epa.gov> wrote:

Hi Kerry,

I hope you received the voice message I left for you yesterday afternoon. Sorry I wasn't in touch sooner, but I was out of the office all day Friday and on Monday morning. Since we are having trouble connecting via phone, I thought I would email.

I was hoping to discuss with you a meeting that we will be having with Exide and TCEQ later this week. We will be discussing matters that we reasonably anticipate could result in an enforcement action against Exide by either EPA or TCEQ. As you are probably aware, protocol dictates that we cannot include outside parties in discussions pursuant to developing an enforcement action. Since we are unable to include the City in the meeting, we wanted to reach out and reiterate our intent to keep you informed and to continue to work together transparently.

Please call me if you have any questions. Thanks,
Jay
214 665 6605

From: Kerry Russell [<mailto:kerryrussell@usa.net>]
Sent: Thursday, April 04, 2013 7:21 PM
To: Przyborski, Jay
Subject: RE: Your number

You bet. (b) (2)

From: Przyborski, Jay [<mailto:Przyborski.Jay@epa.gov>]
Sent: Thursday, April 04, 2013 5:41 PM
To: kerryrussell@usa.net
Subject: Your number

Kerry,

I wanted to give you a quick call about something but I seem to have misplaced your number. Could you send it to me, please?

Thanks,

Jay Przyborski
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 6
1445 Ross Avenue, Suite 1200
MC 6RC-ER
Dallas, Texas 75202
Tel. (214) 665-6605
Fax (214) 665-3177

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From: Jackie Henemann
To: Przyborski, Jay
Subject: Meeting in Waco on Thursday
Date: Tuesday, April 09, 2013 3:47:02 PM

Jay,

Just to follow up, the following meeting participants from EPA have given their lunch orders. Thanks for your assistance with coordinating the info.

Jackie

| | |
|----------------|---|
| Rick Ehrhart | Big Chef Salad Box (\$8.39) |
| Bruce Jones | Big Chef Salad Box, but Italian dressing, <u>not</u> Ranch; Ice Tea (\$8.39 + \$1.99) |
| Bill Luthans | Nutty Mixed-Up Salad Box (\$9.19) |
| Gary Miller | Traditional Box with Smoked Turkey on Whole Grain Wheat (\$7.39) |
| John Penland | California Club Box with Fresh Fruit (\$8.29) |
| Jay Przyborski | California Club Box with Fresh Fruit (\$8.29) |
| Susan Spalding | Nutty Mixed-Up Salad Box with Cranberry Walnut Oatmeal Cookie (\$9.19) |
| Melissa Smith | Turkey Wrap Box with Fresh Fruit and Chocolate Chip Cookie (\$7.59) |
| Guy Tidmore | Traditional Box with Roast Beef, Swiss Cheese, lettuce and tomato, mayonnaise and spicy mustard, on Wheat, with a Cookie (\$7.39) |

From: Jackie Heinemann
To: Przyborski, Jay
Subject: RE: Lunch Order -- EPA/Exide/TCEQ Meeting on April 11th in Waco, Texas
Date: Monday, April 08, 2013 5:29:38 PM

Jay,

I received your order, and I have received orders from the following:

Rick Ehrhart
Gary Miller
Jay Przyborski
Susan Spalding
Melissa Smith

If there are any others, please let me know.

Thank you.

Jackie

From: Przyborski, Jay [mailto:Przyborski.Jay@epa.gov]
Sent: Monday, April 08, 2013 5:20 PM
To: Jackie Heinemann
Subject: RE: Lunch Order -- EPA/Exide/TCEQ Meeting on April 11th in Waco, Texas

Hi Jackie,

I hope my colleagues have been sending you their orders. If not, please let me know and I'll crack the whip.

I'd like a California club box with fruit, please. Thanks!

-Jay

From: Jackie Heinemann [mailto:jackie.heinemann@tceq.texas.gov]
Sent: Thursday, April 04, 2013 10:46 AM
To: Przyborski, Jay
Subject: Lunch Order -- EPA/Exide/TCEQ Meeting on April 11th in Waco, Texas

Jay --

Caroline Sweeney requested I send this information to you for sharing with the EPA staff who will be attending this meeting on April 11th. If you could forward to each person and request they email me Jackie.Heinemann@tceq.texas.gov their lunch selections by next Tuesday, 4/9, I will coordinate a group order for delivery by Jason's Deli.

Attached is a menu from Jason's Deli for boxed lunches.

Drinks can be purchased at \$1.69 for bottled water; \$1.99 for soft drinks.

Tax is 8.25%; additional fee for delivery and a tip should be considered in the total.

If a lunch requires a bread selection or other add-on/item selections, please make sure that is designated with the order.

Cash reimbursement for the lunch ordered can be provided to Caroline Sweeney at the meeting.

If there are any questions, please let me know. Thank you for your assistance.

Jackie Heinemann

Executive Assistant

Office of Legal Services

Texas Commission on Environmental Quality

(512) 239-0229

Jackie.Heinemann@tceq.texas.gov

From: Kerry Russell
To: Przyborski, Jay
Cc: Bon Patterson; Mack Borchardt; George Purefoy; Richard M. Abernathy; Dan Wittliff; Wheatley, Wade; Tanza Smith
Subject: RE: FOIA regarding Exide Documents
Date: Friday, March 29, 2013 2:06:48 PM

Thank you. I will double check my files for the documents noted. If I am missing any of them, I will let you know. The City appreciates EPA's quick response to this FOIA request.

From: Przyborski, Jay [mailto:Przyborski.Jay@epa.gov]
Sent: Friday, March 29, 2013 11:36 AM
To: kerryrussell@usa.net
Subject: FOIA regarding Exide Documents

Kerry,

Thank you again for speaking with me yesterday about the scope of your FOIA request for documents related to Exide. As I explained, I am an attorney with the RCRA enforcement group. In that capacity, I have issued one order to Exide, a Unilateral RCRA Section 3013 Order (Docket No. RCRA 06-2011-0966), and negotiated two agreements with Exide, a RCRA Section 3013 Agreed Order on Consent (originally Docket No. RCRA 06-2011-0966, then redesignated as Docket No. RCRA 06-2012-0966 for administrative purposes) and a Consent Agreement and Final Order resolving alleged violations of RCRA and the Clean Air Act (Docket Nos. RCRA 06-2013-0907 and CAA 06-2013-3321). It is my understanding that you have copies of all of these documents.

I understand, too, that you have spoken with other EPA staff about providing all comments supplied to Exide and/or TCEQ on Plans associated with closure and remediation of the Exide facility. Based on our conversation, I do not have any documents responsive to your request. If I become aware that I have responsive documents that EPA did not provide, we will be in contact.

Thank you again and have a good weekend,

Jay Przyborski
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 6
1445 Ross Avenue, Suite 1200
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Dallas, Texas 75202
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